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statute has no extraterritorial force, rights under it, not contrary to the policy of Pennsylvania, will, by comity, be enforced by remedies according to Pennsylvania procedure. *Knight v. W. J. Ry. Co.*, 108 Pa. St. 250. And although at common law such actions abate upon the death of the person injured, yet where the statute of the State in which the injury was inflicted gives a right of action to the personal representatives of the deceased, that right may be enforced in another State having a similar statute. *Burns v. Grand Rapids & I. R. Co.*, 113 Ind. 169; 15 N. E. 230.

EMINENT DOMAIN—PROCEEDINGS BY THE UNITED STATES—DISMISSAL—DAMAGES.—UNITED STATES v. DICKSON, 127 FED. 774 (C. C.).—*Held*, that proceedings by the United States to condemn land for a public building or other governmental purpose may be dismissed at any time before the actual acceptance of the property and payment therefor, until which time there is no "taking" of the property, and the United States is not subject to the payment of costs or damages to the landowners on such dismissal.

Such costs and damages seem to have no existence independently of statutory enactments. Thus a municipal corporation which institutes condemnation proceedings against certain land, and abandons them six months later, is not liable for damages to the rental of the land caused by such delay, in the absence of any showing that the delay was unnecessary, or that there was malice or want of probable cause. *Feiten v. City of Milwaukee*, 47 Wis. 494; 2 N. W. 1148. So where a city proceeds under an ordinance to widen a street, and thereafter takes no steps in the premises, and an abutting owner, learning of the passage of the ordinances, tears away all the front of a building in front of his lot and rebuilds such front four feet further back, he cannot recover for the expense incurred from the city. *Whyte v. City of Kansas*, 23 Mo. App. 409. And where a railroad company dismisses an appeal in condemnation proceedings against the protest of the appellee, in the absence of a special contract or positive rule of law, there can be no recovery against the railroad company for services, time, or expenses incurred in defending against such condemnation proceedings. *Bergmann v. St. P., S. & T. F. Ry. Co.*, 21 Minn. 533.

EQUITY—STREET IMPROVEMENT—SETTING ASIDE ASSESSMENT.—FARR v. CITY OF DETROIT, 99 N. W. 19 (MICH.).—A city council paved a street in accordance with a petition which did not have enough signers to give the council jurisdiction. *Held*, that a property owner on the street cannot maintain an action in equity, after the work is completed, to have his assessment set aside. Grant, J., *dissenting*.

As a general rule assessments made without all the requisites of jurisdiction can be restrained, *Zeigler v. Hopkins*, 117 U. S. 683; *Dillon's Munic. Corps*, Sec. 400, Vol. 2. But a party may so act as to be estopped to deny the authority of the city officials. *Goodwillie v. City of Manistee*, 93 Mich. 170. As to what constitutes an estoppel, in such cases, however, there is a conflict. Some decisions hold that if the property owner simply knows that the work is going on he is estopped. *People v. City of Rochester*, 21 Barb. 656; *Fitzhugh v. Bay City*, 109 Mich. 581. Others, that he is not obliged to take any action till his rights are called in question. *Mulligan v. Smith*, 59